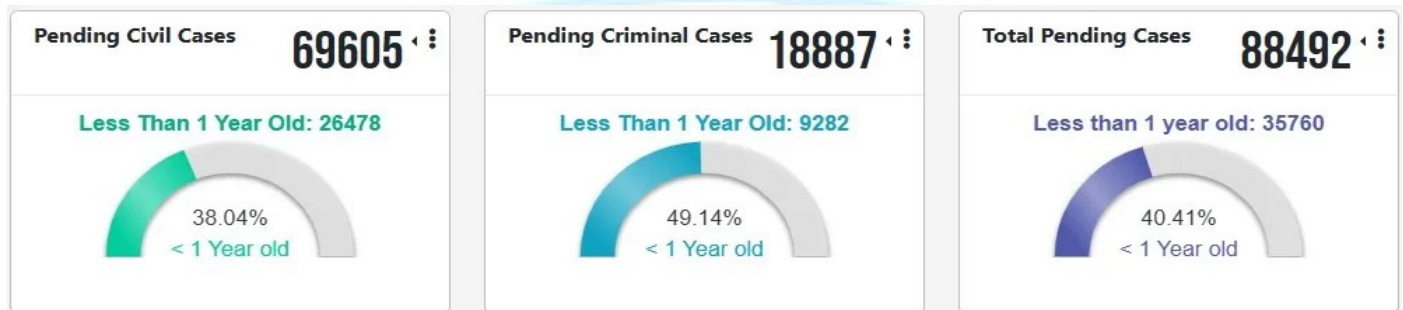


3. Judiciary Case Pendency – Polity

The Supreme Court of India is facing a record-high backlog of over 88,000 cases, caused by a slow disposal rate, overuse of special petitions, and government litigation. While this erodes public trust and harms the economy, reforms like specialized case management and digitization are being implemented to improve efficiency.

The Core Issue – Unprecedented Case Pendency

The number of pending cases in the Supreme Court of India has reached an all-time high. This surge raises serious concerns about the efficiency, accessibility, and credibility of the entire judicial system.



Current Caseload – A Statistical Overview

Data Source – The statistics are provided by the **National Judicial Data Grid (NJDG)**.

Total Pendency – There are currently **88,492** matters awaiting disposal in the Supreme Court. This includes **69,605 civil cases** and **18,887 criminal cases**.

Rapid Growth – The caseload has grown by over **35% in the last five years**, despite ongoing digitization efforts and structural reforms.

Causes Behind the Growing Backlog

Low Disposal Rate – The rate at which cases are resolved is slower than the rate at which new cases are filed.

August 2025 Data – 7,080 new cases were registered, while only 5,667 were disposed of, marking a disposal rate of just **80.04%**.

Annual 2025 Data (Jan–Aug) – 52,630 cases were filed, with 46,309 disposed of, showing a slightly better annual disposal rate of nearly **88%**.

Limited Working Days – The Supreme Court's operational time is insufficient to handle the volume, due to numerous court holidays and restricted working hours.

Procedural Complexity – The judicial process is slowed down by lengthy procedures, frequent adjournments, and multiple layers of appeals.

Low Judge-to-Population Ratio – India has one of the world's lowest ratios, with approximately 21 judges per million people, far below the Law Commission's recommended 50 judges per million.

Overuse of Special Leave Petitions (SLPs) – Article 136 of the Constitution is intended for hearing appeals only in exceptional circumstances. However, SLPs are now filed indiscriminately, clogging the court with routine matters that could be resolved in lower courts.

Government as the Largest Litigant – The government (both central and state) is a party in nearly 50% of all pending cases, many of which are repetitive or frivolous, putting an enormous strain on the judiciary.

Inadequate Infrastructure and Technology – Despite digitization initiatives, many courts still lack robust and modern case management systems. The limited adoption of Artificial Intelligence (AI) and fully functional e-courts hampers efficient scheduling, tracking, and disposal of cases.

Legacy Cases and Backlog – A significant number of cases have been pending for over a decade, with some dating back more than 30 years, contributing to a stagnant and growing backlog.

Underutilization of Alternative Dispute Resolution (ADR) – Methods like mediation and arbitration, which can resolve disputes outside of court, are not used to their full potential.

Implications for Justice and Governance

Erosion of Public Trust – "Justice delayed is justice denied." Lengthy delays cause citizens to lose faith in the judiciary's ability to deliver timely justice.

Negative Economic Impact – Long-pending commercial disputes create uncertainty, which deters domestic and foreign investment and slows down economic growth.

Social Injustice – Delays disproportionately harm vulnerable and marginalized groups, prolonging their hardship and uncertainty in both civil and criminal matters.

Prison Overcrowding – Delays in trials are a primary cause of overcrowding in jails. According to the **Indian Justice Report, 2025**, approximately **76% of all prison inmates are undertrials** waiting for their cases to be heard and concluded.

Reform Measures and Initiatives

Differentiated Case Management (DCM) – An initiative adopted by the Supreme Court called the "Unclogging the Docket Initiative." It focuses on identifying and fast-tracking short, irrelevant (infructuous), and very old cases, resulting in a remarkable disposal rate of 104% during its implementation.

Arrears Committees – The Supreme Court has formed these committees to devise strategies for clearing the backlog, often monitoring compliance with recommendations from the Malimath Committee Report.

Increasing Judicial Capacity – Recommendations from the Malimath Committee and various Law Commission Reports include –

1. Increasing the number of working days for the court.
2. Reducing long vacation periods.
3. Ensuring the prompt filling of all judicial vacancies.

Legislative and Procedural Reforms –

1. Arbitration and Conciliation Act (amended in 2015 & 2019) – Introduced stricter timelines for dispute resolution.
2. Commercial Courts Act (2018) – Mandated pre-institution mediation for commercial disputes.

Proposed Splitting of the Supreme Court –

1. The 10th and 11th Law Commissions recommended dividing the Supreme Court into two benches –
 - i. A Constitutional Division to handle only constitutional matters and fundamental rights cases.
 - ii. A Legal Division to act as the final appellate court for routine appeals.

E-Courts and Digital Tools – The judiciary is expanding the use of e-filing, virtual hearings, and Electronic Case Management Tools (ECMTs) to streamline processes. The National Judicial Data Grid (NJDG) provides transparency but requires better integration with case management systems.

Recent Administrative Actions – The government has started approving Collegium recommendations swiftly, sometimes within 48 hours. Chief Justice BR Gavai took the initiative to convert the summer recess into 'partial working days' to clear more cases.

Source – <https://www.thehindu.com/news/national/peaking-over-88000-cases-pendency-continues-to-plague-supreme-court/article70048821.ece>